REMARKS

Claims 1, 7, 8, 17, 19-23, 27-37, 43-45, 47, 50, 51, 56, and 58-65 are pending in the application. Claims 1, 17, 19, 22, 27-36, 44, 47, 50, 56, 58, and 63-65 have been amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTIONS 35 U.S.C. §103

Claims 1-3, 7-8, 17-19, 26-28, 30-32, 43-48, 50-51, and 54-58 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,321,749 ("Virga") in view of U.S. Patent Publication No. 2004/0210894 ("Zarco"). Claims 20-25, 33-34, 52-53, and 59-64 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Virga in view of Zarco and in view of U.S. Patent Publication No. 2001/0034747 ("Fujitani"). Claims 24, 25, 33, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Virga in view of Zarco and in view of U.S. Patent No. 5,581,358 ("Seto"). Applicants respectfully traverse these rejections for at least the reasons set forth below.

A. Independent Claim 1

Claim 1 recites, "an enabled portion of the software is configured to control a print mechanism at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations, wherein the software is stored within a device that includes the print mechanism." Claim 1 also recites, "receive user selection information from the user, the user selection information being indicative of at least one of the upgraded printing configurations."

Virga describes a system for the encryption of documents. A document is converted to a bitmap, which is encrypted graphically so that it can be transmitted or copied without disclosing

the contents of the document to the people handling the document. The intended recipient of the document scans the document into a decryption device, which decrypts the document and displays or prints the decrypted document. *See* abstract. In order for the decryption device to decrypt the document, the user must enter the decryption key. *See* col. 5, lines 2-8.

The Office Action reasons, under previous claim language, that the decryption device includes software for performing a functionality of a print mechanism in two states. One state exists before the user has entered the key, and the other state exists after the user has entered the key. *See* Office Action, p. 3. Without conceding the propriety of the rejection, claim 1 has been amended to recite an enabled portion of the software configured to control a print mechanism at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations. Virga does not teach or suggest a disabled portion of the software configured to control the print mechanism at one or more upgraded printing configurations.

Virga also does not teach or suggest receive user selection information from the user, the user selection information being indicative of at least one of the upgraded printing configurations. Virga describes a keyboard for the user to enter feedback. *See* col. 8, lines 40-42. The Office Action reasons that the feedback includes specifying scanning, printing, or faxing, which would correspond to the user selection information. However, in light of the amendments to claim 1, Applicants respectfully submit that Virga does not teach or suggest user selection information indicative of at least one of the upgraded printing configurations.

Zarco does not fill in the gaps left by Virga. Zarco describes a server that stores modules for upgrading firmware of an image forming device. *See* [0028]. Once selected, the image forming device retrieves or acquires the modules from the server "and installs them within the

firmware." *Id.* In other words the modules are not stored at the image forming device before the upgrade is selected. Therefore, Zarzo does not teach or suggest "an enabled portion of the software is configured to control a print mechanism at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations, wherein the software is stored within a device that includes the print mechanism," as recited by amended claim 1.

For at least the reasons cited, Applicants respectfully assert that independent Claim 1 is patentably distinct from the combination of cited references. As such, Applicants respectfully request that this rejection of independent Claim 1 and the rejections of corresponding dependent claims be withdrawn.

B. Independent Claim 17

Claim 17 recites:

> storing, within the device, first software for operation of the print engine at a default print speed, a default print resolution, and a default print quality;
> storing, within the device, second software for operation of the print engine at one or more of an increased print speed, an increased print resolution, and an increased print quality;
> receiving a list of selectable functionalities from a server, the list including one or more of the increased print speed, the increased print resolution, and the increased print quality, wherein the first software and the second software are stored at the device before the list is received.

As discussed above, Virga describes encryption and decryption of documents. Virga does not teach or suggest, among other things, software for operation of the print engine at one or more of an increased print speed, an increased print resolution, and an increased print quality.

Zarco does not fill in the gaps left by Virga. Zarco describes firmware for an image formation device that is "modularly upgraded." *See* [0023]. Upgrade modules are stored on a

server, and when an upgraded module is selected, the image formation device downloads the upgrade module from the server. *See* [0028]. Therefore, Zarco does not teach or suggest "receiving a list of selectable functionalities from a server, the list including one or more of the increased print speed, the increased print resolution, and the increased print quality, wherein *the first software and the second software are stored at the device before the list is received*," as recited in claim 1. (emphasis added).

For at least these reasons, independent Claim 17 recites features not shown or described in Virga and Zarco, as discussed above with reference to Claim 1. As such, Applicants respectfully request that the rejection of independent Claim 17 and the rejections of corresponding dependent claims be withdrawn.

C. Independent Claim 27

Independent Claim 27 recites storing software in the device wherein an enabled portion of the software is configured to control the print mechanism at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations.

As discussed above, none of Virga, Zarco, or combinations thereof teaches or suggests storing software in the device wherein an enabled portion of the software is configured to control the print mechanism at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations. As such, Applicants respectfully request that the rejection of independent Claim 27 and its dependent claims be withdrawn.

D. Independent Claim 30

Independent Claim 30 recites at least one memory comprising software, wherein an enabled portion of the software is configured to control for a functional unit at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations, wherein the software is stored within a device that includes the functional unit.

As discussed above, none of Virga, Zarco, or combinations thereof teaches or suggests at least one memory comprising software, wherein an enabled portion of the software is configured to control for a functional unit at a current printing configuration and a disabled portion of the software is configured to control the print mechanism at one or more upgraded printing configurations, wherein the software is stored within a device that includes the functional unit. Accordingly, Applicants request that the rejection of claim 30 and corresponding dependent claims be withdrawn.

E. Independent Claim 47

Independent Claim 47 recites, "at least one memory comprising software for operation of for a print mechanism, wherein a first portion of the software is configured to operate the print mechanism at a default print speed, a default print resolution, and a default print quality and a second portion of the software is configured to operate the print mechanism at one or more of an increased print speed, an increased print resolution, and an increased print quality, wherein the software is stored within a device that includes the print mechanism."

As discussed above, none of Virga, Zarco, or combinations thereof teaches or suggests a second portion of the software is configured to operate the print mechanism at one or more of an increased print speed, an increased print resolution, and an increased print quality, wherein the

software is stored within a device that includes the print mechanism. Accordingly, Applicants request that the rejection of claim 47 and corresponding dependent claims be withdrawn.

F. Independent Claim 56

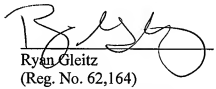
Independent Claim 56 recites "storing software within a device that includes the print engine, wherein in the software includes instructions to operate the print engine at a default printing configuration and one or more upgraded printing configurations …and enabling the one or more upgraded printing configurations previously stored within the device that includes the print engine."

As discussed above, none of Virga, Zarco, or combinations thereof teaches or suggests storing software within a device that includes the print engine, wherein in the software includes instructions to operate the print engine at a default printing configuration and one or more upgraded printing configurations. Accordingly, Applicants request that the rejection of claim 56 and corresponding dependent claims be withdrawn.

CONCLUSION

At least in view of the foregoing remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration is respectfully requested. If the Examiner has any questions, the Examiner is invited to contact the undersigned attorney at (312) 321-4200.

Respectfully submitted,



March 7, 2011
Date

Ryan Gleitz
(Reg. No. 62,164)
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200